

Town Board Minutes
(Municipal Review Committee)

Meeting
No. 3

Special Meeting

January 16, 2007

Town Board Minutes

January 16, 2007

Meeting No. 3

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 16th day of January, 2007, at 6:30 PM and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR
REBECCA ANDERSON, PLANNING BOARD MEMBER
JOHN GOBER, PLANNING BOARD MEMBER
LAWRENCE KORZENIEWSKI, PLANNING BOARD MEMBER
STEVEN SOCIIA, PLANNING BOARD MEMBER
STANLEY KEYSA, PLANNING BOARD CHAIRMAN

ABSENT: MICHAEL MYSZKA, PLANNING BOARD MEMBER
MELVIN SZYMANSKI, PLANNING BOARD MEMBER

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for one (1) action.

**IN THE MATTER OF THE SEQR REVIEW OF THE
WINDSOR RIDGE SOUTH SUBDIVISION**

The Municipal Review Committee proceeded with the Long Environmental Assessment Form on the Windsor Ridge South Subdivision matter with an item for item review and discussion of the project impact and magnitude as outlined on the Long Environmental Assessment Form entitled "Part 2 Project Impacts and Their Magnitude" which was provided to each member.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Richard J. Sherwood, Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed development is of a parcel involving approximately 186± acres.

The location of the premises being reviewed is 0 & 638 Lake Avenue, 0 & 206 Hall Road, 0 Bowen Road, 89 Brunck Road, County of Erie, Town of Lancaster, New York.

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which is a Type 1 action, through its designated Municipal Review Committee relative to the criteria found in 6NYCRR, Part 617.7. The lead agency, having determined there to be potentially large environmental impacts with regard to water, water bodies and traffic flow, now adjourns this Review until the Municipal Review Committee receives further information from the project sponsor in response to the potentially large environmental impacts outlined below in the section entitled "Reasons Supporting Determination, Findings Statement - Project Impacts".

REASONS SUPPORTING DETERMINATION

FINDINGS STATEMENT - PROJECT IMPACTS

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least three (3) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a physical change to the project site.

POTENTIAL LARGE IMPACTS:

- construction on land where the depth to the water table is 0 to 1.5 feet
- construction in a designated floodway
- potential Flood Plain Management concerns regarding location of and elevations of the flood plain due to the Conditional Letter of Map Revision (CLOMR)

SMALL TO MODERATE IMPACT:

- construction that will continue for more than one year

2. The proposed action will not affect any unique or unusual land forms found on the site.

3. The proposed action will affect a water body designated as protected.

POTENTIAL LARGE IMPACT:

- dredging more than 100 cubic yards of material from channel of a protected stream

SMALL TO MODERATE IMPACT:

- construction in a designated freshwater or tidal wetland

4. The proposed action will not affect any non-protected existing or new body of water.

5. The proposed action will affect surface or ground water quality or quantity.

POTENTIAL LARGE IMPACT:

- total anticipated water usage per day is 167, 475± gallons

SMALL TO MODERATE IMPACTS:

- it is noted that a State Pollution Discharge Elimination System (SPDES) General Permit for Discharge from Construction Activities is required during construction
- proposed action could adversely affect ground water
- proposed action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions

6. The proposed action will have a small to moderate impact as it will alter drainage flow patterns or surface water runoff.

SMALL TO MODERATE IMPACTS:

- proposed action will change flood water flows
- proposed action will allow development in a designated floodway

7. The proposed action will not affect air quality.
8. The proposed action will have a small to moderate impact on threatened or endangered species.

SMALL TO MODERATE IMPACT:

- the use of state approved pesticides and herbicides for lawn and swimming pool care
9. The proposed action will not substantially affect non-threatened or non-endangered species.
 10. The proposed action will not affect agricultural land resources.
 11. The proposed action will not affect aesthetic resources.
 12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
 13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
 14. The Town of Lancaster has not established a critical environmental area (CEA) pursuant to subdivision 6NYCRR617.14(g), therefore the proposed action will not impact the exceptional or unique characteristics of a critical environmental area (CEA).
 15. The proposed action will affect existing transportation systems.

POTENTIAL LARGE IMPACT:

- proposed action may cause major traffic problems

SMALL TO MODERATE IMPACT:

- alteration of present patterns of movement of people
16. The proposed action will not affect the community's sources of fuel or energy supply.
 17. There will not be objectionable odors, noise, or vibration as a result of this proposed action.
 18. The proposed action will not affect public health and safety.
 19. The proposed action will affect the character of the existing community.

SMALL TO MODERATE IMPACT:

- there will be a change in the destiny of land use
 - the project will increase demand for police, fire and school services
 - there will be an increase in employment during construction
20. There is likely to be, public controversy related to water and traffic issues.

N.B. It is necessary that this project is coordinated with the Lancaster Central School District and the Iroquois Central School District because this project crosses the boundaries of both school districts.

THE FOLLOWING MOTION WAS MADE BY
PLANNING BOARD CHAIRMAN KEYSA
AND SECONDED BY COUNCIL MEMBER
AMATURA, TO WIT:

That the matter of the SEQR of Windsor Ridge South Subdivision be adjourned until that time that the project sponsor addresses the aforementioned potentially large environmental impacts and the Municipal Review Committee evaluates the responses.

The question of the adoption of the foregoing Motion was duly put to a vote which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The motion to adjourn this matter in anticipation of responses from the project sponsor was thereupon adopted.

January 16, 2007

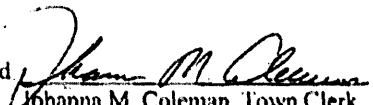
ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER AMATURA AND SECONDED BY
COUNCIL MEMBER RUFFINO FOR ADJOURNMENT OF THE MEETING, which resulted
as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES
PLANNING BOARD MEMBER ANDERSON	VOTED YES
PLANNING BOARD MEMBER GOBER	VOTED YES
PLANNING BOARD MEMBER KORZENIEWSKI	VOTED YES
PLANNING BOARD MEMBER MYSZKA	WAS ABSENT
PLANNING BOARD MEMBER SOCHA	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	WAS ABSENT
PLANNING BOARD CHAIRMAN KEYSA	VOTED YES

The meeting was adjourned at 7:44 P.M.

Signed


Johanna M. Coleman, Town Clerk

Town Board Minutes

Meeting No. 4

Regular Meeting

January 16, 2007

Town Board Minutes

January 16, 2007

Meeting No. 4

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at 21 Central Avenue, Lancaster, New York on the 16th day of January 2007 at 8:00 P.M. and there were

PRESENT: DANIEL AMATURA, COUNCIL MEMBER
MARK MONTOUR, COUNCIL MEMBER
RONALD RUFFINO, COUNCIL MEMBER
DONNA STEMPIAK, COUNCIL MEMBER
ROBERT GIZA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: JOHANNA COLEMAN, TOWN CLERK
RICHARD SHERWOOD, TOWN ATTORNEY
JEFFREY SIMME, BUILDING INSPECTOR
GARY STOLDT, CHIEF OF POLICE
TERRENCE McCracken, GENERAL CREW CHIEF
RICHARD REESE JR., HIGHWAY SUPERINTENDENT
ROBERT HARRIS, ENGINEER, WM. SCHUTT & ASSOCIATES

EXECUTIVE SESSION:

UPON A MOTION DULY MADE BY COUNCIL MEMBER RUFFINO, SECONDED BY COUNCIL MEMBER AMATURA AND CARRIED, the Town Board entered into Executive Session to deliberate on the announced purpose of discussing water line contracts.

At 9:50 P.M., the Town Board reconvened with all members present. The Town Clerk reported that no official actions were taken by the Town Board in Executive Session.

PERSONS ADDRESSING TOWN BOARD:

The Supervisor presented a proclamation to the Aronis family in recognition of the 10th anniversary of the Olive Tree Restaurant.

Chowaniec, Lee, 93 Northwood Drive, spoke to the Town Board on the following matters:

- extension of site plan approval to Wal Mart at Transit Road/William Street

Lukowski, Donna, 129 Brunck Road, spoke to the Town Board on the following matters:

- drainage issues
- concerns regarding Windsor Ridge South Subdivision

Korcz, Richard, 4946 William Street, spoke to the Town Board on the following matter:

- Concerns about Aurora Markets and alleged non-compliance with the conditions set in their site plan approval as well as court cases involving citations

Schneggenburger, Roy, 87 Stony Road, spoke to the Town Board on the following matters:

- Minutes
- various speakers at Town Board meetings

PRESENTATION OF PREFILED RESOLUTIONS BY COUNCIL MEMBERS:

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION. SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

RESOLVED, that the minutes of the Joint Meeting of the Town Board and the Planning Board held January 2, 2007 and the Regular Meeting of the Town Board held January 2, 2007 be and are hereby approved.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

File: RMIN (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau, by letter dated January 10, 2007 has recommended the appointment of an individual to the position of regular part time Tutor with the Youth Bureau of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the following individual is hereby appointed to the position of regular part time Tutor, not to exceed nineteen hours per week, in the Town of Lancaster Youth Bureau, effective immediately, and that this appointment, being a part time position, provides no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part time employees:

<u>NAME</u>	<u>RATE</u>
Brandon Ricci 37 Sussex Lane Lancaster, New York 14086	\$10.00 hr.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows: ,

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

File: Rpers.tutor (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER RUFFINO, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated January 10, 2007 has requested the appointment of members to the Youth Board of the Town of Lancaster.

NOW, THEREFORE, BE IT

RESOLVED, that the following individuals are hereby appointed members of the Town of Lancaster Youth Board for the period January 16, 2007 to May 31, 2007:

Michael Vallely
24 Apple Blossom Lane
Lancaster, New York

Jacqueline Bull
7 Katelyn Lane
Lancaster, New York

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	RECUSED *
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

* One of the appointees is a cousin of Council Member Montour.

January 16, 2007

File: RPEKS BD (P2)

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
WHO MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster approved a site plan for the development of property at the northeast corner of William Street and Transit Road on February 10, 2003, that development as proposed by NEC Transit William LLC (NEC), and

WHEREAS, the property owner requested that the Town Board exercise its statutory discretion to extend the approval of the site plan pursuant to the authority granted to the Town Board under Section 50-42 (C) (5) of the Zoning Code of the Town of Lancaster for the reason that there were factors beyond NEC's reasonable control which delayed NEC from commencing construction within the statutory two year period commencing February 10, 2003, and

WHEREAS, the delay involved commencement of legal actions initiated by C.A.R.S. in 2004 in U.S. District Court, Western District of New York against both NEC and the United States Army Corps of Engineers (USACOE) in which C.A.R.S. alleged that NEC violated stormwater SPDES requirements and further that the USCOE violated administrative procedures in issuing a federal wetland permit for the project, and

WHEREAS, Wal-Mart Stores East LP purchased the property on January 17, 2006 and now requests an extension of the site plan approval beyond February 10, 2007 to afford time to intervene if necessary in the pending federal court action against the USACOE and further to finalize its building permit application, and

WHEREAS, the Town Board after due review and consideration deems it reasonable and in the public interest to extend the approval of the site plan submitted by NEC Transit William LLC for the development of the northeast corner of William Street and Transit Road which was the subject of a site plan approval resolution of the Town Board on February 10, 2003, the owner having cited reasonable cause for the delay in failing to commence construction within a two year period normally required by the Town of Lancaster zoning code.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board of the Town of Lancaster hereby grants an extension of the site plan approval for the proposed development of the northeast corner of William/Transit for a period of two (2) years to commence February 11, 2007 and ending February 10, 2009, and

BE IT FURTHER

RESOLVED, that all terms and conditions which are recited in the prior Town Board resolution approving the site plan on February 10, 2003 as well as all of the terms and conditions set forth in the prior SEQRA findings resolution adopted on April 8, 2002, shall remain in effect relative to the grant of this extension of the approval of the beforementioned site plan.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER MONTOUR, TO WIT:

WHEREAS, Marrano/Marc Equity Corporation, 2730 Transit Road, West Seneca, New York, has heretofore applied for approval of a single family residential subdivision to be known as "Summerfield Farms Phase IV" located at the corner of William Street, east of Bowen Road in the Town of Lancaster, and

WHEREAS, the Planning Board and Town Engineer have given their approval to the filing of this subdivision, and

WHEREAS, the Town acting as lead agency has completed an environmental review in conformance with SEQR (State Environmental Quality Review) regulations, and

WHEREAS, the Town Board of the Town of Lancaster has duly reviewed and considered the proposed subdivision;

**NOW, THEREFORE, BE IT
RESOLVED,**

1. That the Town Board of the Town of Lancaster hereby approves the proposed single family residential subdivision plat as prepared by Greenman-Pedersen, Inc. Consulting Engineers, dated November 23, 2005 and received November 20, 2006 for the subdivision known as "Summerfield Farms Phase IV" for filing in the Erie County Clerk's office.

2. That the Town Clerk be and is hereby directed to properly endorse the approval of the Town Board of the Town of Lancaster on the linen copy thereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

File: rsummerfieldfarmssphase41206

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCIL
MEMBER RUFFINO, TO WIT:

WHEREAS, an opening exists in the Recreation Department for a part-time Senior Citizen Center Recreation Attendant, due to the sudden death of Geraldine Beckler, and

WHEREAS, General Crew Chief Terrence McCracken, by letter dated January 10, 2007, has recommended the appointment of Jonathan M. Francis, 735 Terrace Boulevard, Depew, New York 14043 to fill the position of Recreation Attendant, part-time at the Senior Citizens Center.

NOW, THEREFORE, BE IT

RESOLVED, that Jonathan M. Francis, 735 Terrace Boulevard, Depew, New York 14043, be and is hereby appointed to the position of Recreation Attendant, part-time in the Senior Citizens Center, at an hourly rate of \$9.00, working not more than nineteen and one-half (19 ½) hours per week, with no health insurance, sick days, vacation or other fringe benefits not specifically mandated for part-time employees.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Chief of Police of the Town of Lancaster, by letter dated January 3, 2007, has recommended the appointment of Kevin A. Tanski, to the position of Police Officer, and

WHEREAS, Kevin A. Tanski, has placed in the top three (3) candidates with the rating of 95%.

NOW, THEREFORE, BE IT

RESOLVED, that Kevin A. Tanski be and is hereby appointed to the position of Police Officer, in the Town of Lancaster Police Department, effective January 18, 2007, with full benefits and salary in accordance with the departmental procedures as set forth in the current Police Benevolent Association contract.

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster take the necessary action with the Personnel Officer of the County of Erie to accomplish the foregoing.

The question of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to continue its program of improving records management in Town departments, and

WHEREAS, the Town of Lancaster seeks grant monies from the New York State Education Department State Archives Local Government Records Management Improvement Fund to microfilm various Justice Court records with extended retention periods;

NOW, THEREFORE BE IT

RESOLVED, that Grantmakers Advantage, Inc., the Town's grant consultants, be authorized and directed to complete the necessary application, forms, etc. to be submitted to the New York State Education Department State Archives for the purpose of securing this grant, and

BE IT FURTHER

RESOLVED, that the Supervisor and Town Clerk be and hereby are authorized and directed to execute all documents pertaining to the application and acquisition of said funding.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

File: rnyeducationdept107

THE FOLLOWING RESOLUTION WAS OFFERED
BY SUPERVISOR GIZA, WHO MOVED ITS
ADOPTION. SECONDED BY COUNCIL
MEMBER STEMPIAK, TO WIT:

RESOLVED, that the following Audited Claims be and are hereby ordered paid
from their respective accounts as per abstract to be filed in the Office of the Town Clerk by the
Director of Administration and Finance, to wit:

Claim No. 6263 to Claim No. 6521 Inclusive

Total amount hereby authorized to be paid: \$344,071.85

The question of the foregoing resolution was duly put to a vote on roll call
which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

File: Reclaims

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER STEMPNIAK, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER AMATURA, TO WIT:

RESOLVED that the following Building Permit applications be and are hereby reaffirmed:

CODES:

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town Lancaster are waived for this permit.

(CSW) = Conditional sidewalk waiver.

(V/L) = Village of Lancaster

NEW PERMITS:

14341	Marrano/Marc Equity	21 Red Clover Ln	Er. Dwlg.-Sin.	
14342	Quality Aluminum II	132 Pavement Rd	Dem. Garage	
14343	Quality Aluminum II	132 Pavement Rd	Er. Res. Alt.	
14344	Natalie Builders	4 Nicholas Ln	Er. Dwlg.-Dbl.	
14345	Natalie Builders	11 Nicholas Ln	Er. Dwlg.-Sin.	
14346	Coffed, Mark	0 Winfield Ave	Dem. Garage	(V/L)
14347	Tack General Contr.	165 Nichter Rd	Er. Res. Alt.	
14348	McGowan, Gerald	5389 Genesee St	Er. Sign	
14349	Village of Lancaster	5386 Broadway	Dem. Drive Thru	(V/L)
14350	Forbes-Capretto Homes	5 Muirfield Ln	Er. Dwlg.-Sin.	
14351	TSP Contracting	10 Ravenwood Dr	Er. Res. Alt.	
14352	M.C.S. Remedial	6467 Transit Rd	Dem. Dwlg.	

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance requirement for sidewalks, and

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (CSW) for conditional sidewalk waiver be and are hereby reaffirmed with a waiver of the Town Ordinance required for sidewalks, however, the waiver is granted upon the expressed condition that the Town of Lancaster, at any future date, reserves the right to order sidewalk installation at the expense of the property owner.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

SUSPENDED RESOLUTIONS:

Supervisor Giza requested a suspension of the necessary rules for immediate consideration of the following resolutions:

UPON A MOTION DULY MADE BY COUNCIL MEMBER
STEMPNIAK, SECONDED BY COUNCIL MEMBER RUFFINO, AND CARRIED, a
suspension was granted.

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER MONTOUR WHO MOVED
IT'S ADOPTION, SECONDED BY
COUNCIL MEMBER RUFFINO, TO WIT:

WHEREAS, the County of Erie Department of Senior Services has
heretofore provided a van to the Town of Lancaster for the purpose of providing transportation
to senior citizens in the Town of Lancaster, and

WHEREAS, it is necessary to enter into a contractual arrangement with the
County of Erie in order to continue providing said services to seniors, and

WHEREAS, the Town Attorney has reviewed the proposed contract with the
County of Erie;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby
authorizes the Supervisor to execute the Agreement with the County of Erie Department of
Senior Services for the year 2007.

The question of the adoption of the foregoing resolution was duly put to a
vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTOUR	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPNIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

File: rsvan07

SUSPENSION GRANTED

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCIL MEMBER AMATURA, WHO
MOVED ITS ADOPTION, SECONDED BY
COUNCIL MEMBER STEMPIAK, TO WIT:

WHEREAS, the Town of Lancaster has discussed with the Greater Buffalo Niagara Regional Transportation Council, (GBNRTC) the need for a traffic study in the southern portion of Lancaster, and

WHEREAS, GBNRTC has agreed to share the cost of funding a traffic study for the entire Town of Lancaster and has provided a Memorandum of Understanding between GBNRTC and the Town which sets forth the intentions and obligations of the respective parties in regard to such a traffic study, and

WHEREAS, the cost to the Town of Lancaster pursuant to the Memorandum of Understanding will not exceed \$32,382 unless an amendment is approved by both parties;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes the Supervisor of the Town of Lancaster to execute the Memorandum of Understanding between GBNRTC and the Town of Lancaster pursuant to which the GBNRTC will undertake a transportation and land use development improvement program which will be in the nature of a transportation study involving traffic and development within the Town of Lancaster with the Town cost not to exceed \$32,382 unless the sum greater than that is approved by both parties.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCIL MEMBER AMATURA	VOTED YES
COUNCIL MEMBER MONTGOMERY	VOTED YES
COUNCIL MEMBER RUFFINO	VOTED YES
COUNCIL MEMBER STEMPIAK	VOTED YES
SUPERVISOR GIZA	VOTED YES

January 16, 2007

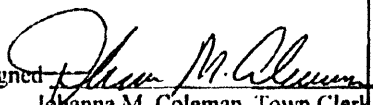
File: rGBNRT107

COMMUNICATIONS & REPORTS:

28. Town Clerk to Town Board -
Transmittal of monthly report for December 2006. DISPOSITION = Received & Filed
29. Paul Drewniak to Town Board -
Notice of intention to retire effective January 20, 2007. DISPOSITION = Received & Filed
30. Greenman - Pederson, Inc. to Town Attorney -
Transmittal of requested information regarding Wainwright Court Subdivision and request for placement on agenda for MRC meeting. DISPOSITION = Town Attorney
31. NYS DEC to Town Attorney -
Notice of lead agency designation regarding proposed Wehrle Corporate Center, Wehrle Drive west of Harris Hill Road; concerns noted. DISPOSITION = Planning Committee
32. Town Attorney to Town Board, Planning Board -
Notice of SEQR meeting to be held Tuesday, January 16, 2007, 6:30 PM regarding Windsor Ridge South Subdivision. DISPOSITION = Received & Filed
33. Town Clerk to Various News Media -
Notice of SEQR meeting to be held Tuesday, January 16, 2007, 6:30 PM regarding Windsor Ridge South Subdivision. DISPOSITION = Received & Filed
34. Highway Superintendent to Town Board -
Transmittal of Agreement to Spend Highway Funds for 2007. DISPOSITION = Received & Filed
35. Town Clerk to Town Board -
Transmittal of annual report for 2006. DISPOSITION = Received & Filed
36. Erie County Department of Environment & Planning to Supervisor, Town Board -
Comments and concerns regarding site plan for proposed Wehrle Corporate Center, Wehrle Drive west of Harris Hill Road. DISPOSITION = Planning Committee
37. Erie County Department of Environment & Planning to Supervisor, Town Board -
Notice of Lead Agency designation regarding proposed Affordable Senior Housing, 6026 Broadway; comments and concerns noted. DISPOSITION = Planning Committee
38. Wm. Schutt & Associates, P.C. to Town Board -
Comments regarding proposed Wehrle Corporate Center, Wehrle Drive west of Harris Hill Road. DISPOSITION = Planning Committee
39. NYS DEC to U.S. Army Corps of Engineers Buffalo District -
Transmittal of Joint Application for Permit for October storm related debris removal project at Enchanted Forest South Subdivision, Slate Bottom Creek. DISPOSITION = Received & Filed
40. NYS DEC to U.S. Army Corps of Engineers Buffalo District -
Letter of authorization for October storm related debris removal project at Bowmansville/Ellicott Creek. DISPOSITION = Received & Filed
41. NYS DEC to U.S. Army Corps of Engineers Buffalo District -
Transmittal of Joint Application for Permit for October storm related debris removal project at Bowen Road/ Little Buffalo Creek. DISPOSITION = Received & Filed
42. NYSEG to Supervisor -
Letter of appreciation for assistance from Town during October storm and donation of 8 HP generator to the Town of Lancaster. DISPOSITION = Received & Filed
43. NYS Office of Real Property Services to Supervisor -
Notice of 2006 Annual Aid Certification for completion of annual assessment. DISPOSITION = Received & Filed
44. Wm. Schutt & Associates, P.C. to Town Board -
Transmittal of year in review and goals. DISPOSITION = Received & Filed

ADJOURNMENT:

ON MOTION OF COUNCIL MEMBER STEMPNIAK, SECONDED BY COUNCIL MEMBER RUFFINO AND CARRIED, the meeting was adjourned at 9:50 P.M.

Signed 
Johanna M. Coleman, Town Clerk